

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF
PENNSYLVANIA, ERIE DIVISION

MARK J. WHALING,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO. 1:08-CV-00210-
v.)	SJM-SPB
)	
ERIE COUNTY PRISON, ET AL.)	JURY TRIAL DEMAND
)	
Defendants.)	
)	

WAIVER OF REPLY

Defendant, Bridget Hillkirk, hereby gives notice to this Court and to Plaintiff Mark J. Whaling that she has elected not to file an Answer to Plaintiff's Complaint, and instead gives notice of this waiver, which, pursuant to 42 U.S.C. § 1997e (g)(1) shall not be construed as an admission as to the putative truth of the allegations of Plaintiff's Complaint.

JURY DEMAND

Defendant Hillkirk hereby request a trial by jury.

Dated: November 24, 2008.

GOLD & FERRANTE, P.C.

/S/ ALAN S. GOLD
ALAN S. GOLD
(P.A. BAR NO. 23400)

Attorney for Defendant Bridget Hillkirk

The Pavilion
261 Old York Road, Suite 526
Jenkintown, PA 19046
Phone: 215-885-1118
Fax No. 215-885-5283

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of **Waiver of Reply** via U.S. First Class Regular Mail and ECF filing on this date to the following individuals:

Mark J. Whaling #FW9846
1111 Altamont Blvd
Frackville, PA 17931
Via U.S. Regular Mail

Patrick M. Carey, Esquire
Marshall Dennehey
717 State Street, Suite 701
Erie, PA 16501
Via ECF filing

S/ ALAN S. GOLD
ALAN S. GOLD

DATE: November 24, 2008